

HOUSE BILL NO. 18

INTRODUCED BY R. SOMERVILLE

BY REQUEST OF THE REVENUE AND TAXATION INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE STATE TRANSPORTATION COMMISSION, UPON REQUEST BY A LOCAL AUTHORITY, TO SET TEMPORARY SPECIAL REDUCED OR INCREASED SPEED LIMITS BASED UPON A REVIEW BY THE DEPARTMENT OF TRANSPORTATION FOR ROUTES THAT HAVE AN ENGINEERING AND TRAFFIC INVESTIGATION PENDING FOR A CHANGE OF SPEED LIMIT; AMENDING SECTION 61-8-309, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-8-309, MCA, is amended to read:

"61-8-309. Establishment of special speed zones. (1) (a) If the commission determines upon the basis of an engineering and traffic investigation that a speed limit set by 61-8-303 is greater or less than is reasonable or safe under the conditions found to exist at an intersection, curve, or dangerous location or on a segment of a highway less than 50 miles in length under its jurisdiction, the commission may set a reasonable and safe special speed limit at that location.

(b) If a local authority requests the department of transportation or an engineer, as provided in subsection (1)(c)(i), to conduct an engineering and traffic investigation based on the belief that a speed limit on a highway under the ~~department's jurisdiction~~ of the department of transportation is greater than is reasonable or safe, the commission may not increase the speed limit under consideration as a result of the investigation.

(c) (i) A local authority may request at its own expense that an engineering and traffic investigation be completed by a licensed professional engineer selected from a list compiled and approved by a committee as provided in subsection (1)(c)(ii).

(ii) A committee containing two department of transportation staff appointed by the director and two representatives of associations whose membership comprises cities, towns, and counties, as authorized by 7-5-2141 and 7-5-4141, shall review credentials submitted by licensed professional engineers and shall determine who appears on the list of individuals authorized to conduct engineering and

1 traffic investigations for local governments. The list must be updated every 2 years.

2 (iii) Upon completion of an engineering and traffic investigation conducted for a local government,
3 the department of transportation shall submit a report to the commission with findings and
4 recommendations. The commission shall decide on an appropriate speed limit based on the traffic
5 investigation within 120 days from the date the investigation is submitted to the department of of
6 transportation.

7 (d) A local authority may request a temporary special reduced OR INCREASED speed zone for a route
8 or route segment that is under consideration for a reduced OR INCREASED speed limit under subsection (1)(a),
9 (1)(b), or (1)(c). If a local authority makes multiple requests for temporary special reduced OR INCREASED
10 speed zones, the local authority shall prioritize the requests. The department of transportation shall
11 conduct a preliminary visual and engineering review of a route or a route segment for which a temporary
12 special speed zone is requested. The reviewing party ~~may~~ MUST include a representative of the local
13 authority. Upon completion of the preliminary review, if the department of transportation concurs with
14 the local authority that a temporary special reduced OR INCREASED speed limit is warranted, a temporary
15 special reduced OR INCREASED speed zone may be established upon formal approval by the commission.
16 The temporary special reduced OR INCREASED speed limit remains in effect until a complete traffic and
17 engineering study has been done on the route or route segment and the commission has made a
18 determination on changing the speed limit.

19 (2) The department of transportation shall erect and maintain appropriate signs giving notice of
20 ~~these~~ special limits. When ~~they~~ the signs are erected, the limits are effective ~~at that part~~ for those zones
21 at all times or at other times that the commission sets.

22 (3) The authority of the commission under this section includes the authority to set reduced
23 nighttime speed limits on curves and other dangerous locations.

24 (4) This section does not authorize the commission to set a statewide speed limit."
25

26 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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